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# Final Agenda

## **Louisville Metro Council**

**Meeting Date:** 10/12/2006

Meeting Time: 6:00 PM

Address to Council:

YES

**Pro-Tem:** Jim King (10)

Minutes: REGULAR MEETING - September 28, 2006

Committee Minutes: Regular: Government Administration, Rules, Ethics & Audit October 2, 2006

Regular: Transportation/Public Works October 3, 2006 Regular: Health & Human Services October 4, 2006

Regular: Planning/Zoning, Land Design & Development October 3, 2006

Regular : Jobs & Economic Development October 5, 2006

Regular: Contracts/Appointments October 5, 2006

Regular: Appropriations, NDFs and CIFs October 5, 2006

Regular: Public Safety October 4, 2006

Special: Health & Human Services OCT. 9, 2006
Regular: Committee on Committees OCT. 10, 2006

Communication

from the Mayor:

Yes

Suspended Rules: NONE

Guests: Barbara Shanklin (2)

Kenneth C. Fleming (7) Tina Ward-Pugh (9) Vicki Welch (13) Ellen Call (26)

**Special Ordinances and** 

Resolutions

#### Consent

### Calendar

1	<u>O-187-09-06</u>	AN ORDINANCE REPEALING LOUISVILLE METRO CODE OF ORDINANCES
		(LMCO) SECTIONS 115.020 - 115.022, "AUTOMOBILE PARKING, STORAGE,
		AND RENTAL."

Sponsor(s) Government Administration, Rules, Ethics & Audit

AN ORDINANCE CLOSING A SECTION OF SHERMAN AVENUE, THIRTY-FOOT WIDE RIGHT OF WAY, FROM ITS SOUTHERN INTERSECTION WITH I-264 WATTERSON EXPRESSWAY, RUNNING SOUTH 265.88 FEET TO ITS SOUTHERN END AT KENTUCKY DEPARTMENT OF HIGHWAYS PROPERTY, CONTAINING 7,954 SQUARE FEET, AND BEING IN LOUISVILLE METRO (DOCKET NO. 1-18-06).

Sponsor(s) 1 Attach. Planning/Zoning, Land Design & Development

A RESOLUTION REQUESTING THE LOUISVILLE METRO PUBLIC WORKS, IN CONSULTATION WITH THE LOUISVILLE METRO COUNCIL'S TRANSPORTATION COMMITTEE, DEVELOP AND IMPLEMENT A POLICY BY MARCH 1, 2007 FOR THE INSTALLATION OF SPEED HUMPS AND OTHER TRAFFIC CALMING DEVICES ON LOUISVILLE METRO RESIDENTIAL STREETS THAT HAVE SPEED LIMITS WHICH DO NOT EXCEED 25 MILES PER HOUR.

Sponsor(s) Transportation/Public Works

4 R-149-9-06
A RESOLUTION AUTHORIZING THE MAYOR TO ACCEPT A GRANT FROM THE CJ FOUNDATION FOR SIDS, IN THE AMOUNT OF APPROXIMATELY \$4,500 TO THE LOUISVILLE METRO HEALTH DEPARTMENT FOR PROVISION OF SUDDEN INFANT DEATH SYNDROME (SIDS) EDUCATION.

Sponsor(s) Health & Human Services

AN ORDINANCE AMENDING ORDINANCE NO. 111, SERIES 2006 AND ORDINANCE NO. 112, SERIES 2006 RELATING TO THE FISCAL YEAR 2006-07 OPERATING BUDGET AND CAPITAL BUDGET, RESPECTIVELY, FOR THE LOUISVILLE/JEFFERSON COUNTY METRO GOVERNMENT, BY TRANSFERRING FUNDS FROM THE METRO COUNCIL INFRASTRUCTURE FUND (DISTRICT 12) TO THE NEIGHBORHOOD DEVELOPMENT FUND (DISTRICT 12).

Sponsor(s) Appropriations, NDFs and CIFs

AN ORDINANCE APPROPRIATING A TOTAL OF \$26,000 WITH \$6,000 FROM DISTRICT 5, \$5,000 EACH FROM DISTRICT'S 1, 3, 4 AND 6
NEIGHBORHOOD DEVELOPMENT FUNDS, THROUGH THE DEPARTMENT OF FINANCE AND BUDGET TO PRIDE, INC. FOR EXPENSES ASSOCIATED WITH HALLOWEEN, THANKSGIVING, CHRISTMAS, MARTIN LUTHER KING, JR, AND EASTER, WHICH CONSISTS OF PARTIES/BASKETS FOR YOUTH

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Sponsor(s) 1 Attach. Appropriations, NDFs and CIFs

AN ORDINANCE APPROPRIATING \$7,650 FROM THE DISTRICT 3
NEIGHBORHOOD DEVELOPMENT FUNDS, THROUGH THE DEPARTMENT
OF FINANCE AND BUDGET, TO CENTER FOR ACCESSIBLE LIVING, INC.
FOR HOME ACCESS RAMPS AND HANDRAILS IN DISTRICT 3.

Sponsor(s) 1 Attach. Appropriations, NDFs and CIFs

A RESOLUTION APPROVING THE GRANTING OF INDUCEMENTS TO ZIRMED, INC., [PROJECT NO. 4] FOR THE PURPOSE OF ATTRACTING AND RETAINING JOBS PURSUANT TO KRS CHAPTER 154, SUBSECTIONS 24 AND 26.

Sponsor(s) 1 Attach. Jobs & Economic Development

A RESOLUTION DETERMINING ONE (1) PARCEL OF REAL PROPERTY LOCATED AT 743 S. 17TH STREET (036D-0015-0000), OWNED BY THE LOUISVILLE/JEFFERSON COUNTY METRO GOVERNMENT ("METRO GOVERNMENT"), SUCCESSOR TO THE CITY OF LOUISVILLE, AS SURPLUS AND NO LONGER NEEDED FOR A GOVERNMENTAL PURPOSE AND AUTHORIZING ITS TRANSFER.

Sponsor(s) 1 Attach. Jobs & Economic Development

A RESOLUTION DETERMINING ONE (1) PARCEL OF REAL PROPERTY LOCATED AT 1448 DIXIE HWY (041C-0136-0000), OWNED BY THE LOUISVILLE/JEFFERSON COUNTY METRO GOVERNMENT ("METRO GOVERNMENT"), SUCCESSOR TO THE CITY OF LOUISVILLE, AS SURPLUS AND NO LONGER NEEDED FOR A GOVERNMENTAL PURPOSE AND AUTHORIZING ITS TRANSFER.

Sponsor(s) 1 Attach. Jobs & Economic Development

A RESOLUTION APPROVING THE GRANTING OF INDUCEMENTS TO FKI LOGISTEX, INC. FOR THE PURPOSE OF ATTRACTING AND RETAINING JOBS PURSUANT TO KRS CHAPTER 154, SUBSECTIONS 24 AND 26.

Sponsor(s) 1 Attach. Jobs & Economic Development

A RESOLUTION APPROVING THE GRANTING OF INDUCEMENTS TO TBMM HEALTHCARE, INC. (AKA UNITED REHAB, LLC) FOR THE PURPOSE OF ATTRACTING AND RETAINING JOBS PURSUANT TO KRS CHAPTER 154, SUBSECTIONS 24 AND 26.

Sponsor(s) 1 Attach. Jobs & Economic Development

13 R-157-9-06 A RESOLUTION APPROVING THE GRANTING OF INDUCEMENTS TO TRAVELEX CURRENCY SERVICES, INC. FOR THE PURPOSE OF

ATTRACTING AND RETAINING JOBS PURSUANT TO KRS CHAPTER 154, SUBSECTIONS 24 AND 26.

Sponsor(s) 1 Attach. Jobs & Economic Development

14	R-1	158-	9-06

A RESOLUTION APPROVING THE GRANTING OF INDUCEMENTS TO UNITED PARCEL SERVICE, INC. (OH) AND ITS AFFILIATES INCLUDING UNITED PARCEL SERVICE CO. AND UPS WORLDWIDE FORWARDING, INC. [PHASE TWO PROJECT] FOR THE PURPOSE OF ATTRACTING AND RETAINING JOBS PURSUANT TO KRS CHAPTER 154, SUBSECTIONS 24 AND 26.

Sponsor(s) 1 Attach. Jobs & Economic Development

15 <u>R-159-9-06</u>

A RESOLUTION APPROVING THE GRANTING OF INDUCEMENTS TO FIRST RESIDENTIAL MORTGAGE NETWORK, INC., [PHASE THREE PROJECT] FOR THE PURPOSE OF ATTRACTING AND RETAINING JOBS PURSUANT TO KRS CHAPTER 154, SUBSECTIONS 24 AND 26.

Sponsor(s) 2 Attach. Jobs & Economic Development

16 <u>R-147-9-06</u>

A RESOLUTION PURSUANT TO ORDINANCES 111 AND 112, SERIES 2006, APPROVING THE APPROPRIATION TO FUND THE FOLLOWING CONTRACT – PAUL BIGLEY - \$20,000.00.

Sponsor(s) 1 Attach. Contracts/Appointments

17 <u>R-161-9-06</u>

A RESOLUTION PURSUANT TO ORDINANCES 111 AND 112, SERIES 2006, APPROVING THE APPROPRIATION TO FUND THE FOLLOWING RENEWAL CONTRACT - (A.T.I. ENVIRONMENTAL SERVICES, INC. - \$32,000.00).

Sponsor(s) 1 Attach. Contracts/Appointments

18 <u>R-150-9-06</u>

A RESOLUTION APPROVING THE APPROPRIATION OF \$78,000 FOR AN AMENDMENT TO A RENEWABLE CONTRACT WITH JEFFERSON COUNTY BOARD OF EDUCATION, FOR THE SUMMER LUNCH PROGRAM.

Sponsor(s) <u>1 Attach.</u> Contracts/Appointments

19 RP100506JC

RE-APPOINTMENT OF JOSEPH "ED" CANNON TO THE LOUISVILLE & JEFFERSON COUNTY PARKS ADVISORY COMMISSION. TERM EXPIRES SEPTEMBER 15, 2009.

Sponsor(s) Contracts/Appointments

20 RP100506TC

RE-APPOINTMENT OF TIMOTHY CORRIGAN TO THE LOUISVILLE & JEFFERSON COUNTY PARKS ADVISORY COMMISSION. TERM EXPIRES SEPTEMBER 15, 2009.

Sponsor(s) Contracts/Appointments

21 RP100506AJ

RE-APPOINTMENT OF ALYCE FRENCH JOHNSON TO THE LOUISVILLE & JEFFERSON COUNTY PARKS ADVISORY COMMISSION. TERM EXPIRES SEPTEMBER 15, 2009.

Sponsor(s) Contracts/Appointments

22 RP100506GM

RE-APPOINTMENT OF GILBERT MCCOMBS TO THE LOUISVILLE & JEFFERSON COUNTY PARKS ADVISORY COMMISSION. TERM EXPIRES SEPTEMBER 15, 2009.

Sponsor(s) Contracts/Appointments

23 <u>RP100506JK</u>

APPOINTMENT OF JEAN L. KLINGLE TO THE LOUISVILLE & JEFFERSON COUNTY PARKS ADVISORY COMMISSION. TERM EXPIRES SEPTEMBER 15, 2009.

Sponsor(s) Contracts/Appointments

#### **Old Business**

A RESOLUTION PURSUANT TO ORDINANCES 111 AND 112, SERIES 2006, APPROVING THE APPROPRIATION TO FUND THE FOLLOWING RENEWAL CONTRACT - (UNIVERSITY OF LOUISVILLE RESEARCH FOUNDATION, INC. - \$144,900.00).

Sponsor(s) 1 Attach. Contracts/Appointments

25 RP100506KM

RE-APPOINTMENT OF KIMBERLY MAFFET TO THE WORKFORCE INVESTMENT BOARD, INC. TERM EXPIRES JUNE 30, (2008) 2009. (AS AMENDED)

Sponsor(s) Contracts/Appointments

26 <u>RP100506SD</u>

RE-APPOINTMENT OF DR. STEPHEN DAESCHNER TO THE WORKFORCE INVETMENT BOARD, INC. TERM EXPIRES JUNE 30, (2008) 2009. (AS AMENDED)

Sponsor(s) Contracts/Appointments

27 RP100506AS

RE-APPOINTMENT OF DR. AL SULLIVAN TO THE WORKFORCE INVESTMENT BOARD, INC. TERM EXPIRES JUNE 30, (2008) 2009. (AS AMENDED)

Sponsor(s) Contracts/Appointments

28 RP100506SK

RE-APPOINTMENT OF SUHAS KULKARNI TO THE WORKFORCE INVESTMENT BOARD, INC. TERM EXPIRES JUNE 30, (2008) 2009. (AS AMENDED)

Sponsor(s) Contracts/Appointments

29	<u>O-163-8-06</u>	AN ORDINANCE APPROPRIATING A TOTAL OF \$21,000 WITH \$5,000 FROM DISTRICT 21, \$500 FROM DISTRICT 3, \$1,000 EACH FROM DISTRICTS 5 AND 7; \$2,000 EACH FROM DISTRICTS 6, 15 AND 25; AND \$2,500 EACH FROM DISTRICTS 11, 13 AND 24 NEIGHBORHOOD DEVELOPMENT FUNDS THROUGH THE DEPARTMENT OF FINANCE AND BUDGET TO THE JEFFERSON COUNTY PUBLIC EDUCATION FOUNDATION, INC. FOR THE CONSTRUCTION OF A HANDICAPPED ACCESSIBLE PLAYGROUND AT CHURCHILL PARK SCHOOL(AS AMENDED).  Sponsor(s) 1 Attach. Appropriations, NDFs and CIFS
30	<u>O-177-8-06</u>	AN ORDINANCE AMENDING CHAPTER 90 OF THE LOUISVILLE/JEFFERSON COUNTY METRO GOVERNMENT CODE OF ORDINANCES [LMCO] RELATING TO THE PROHIBITION OF SMOKING IN DESIGNATED AREAS (AMENDED BY SUBSTITUTION).  Sponsor(s) Health & Human Services
31	R-146-9-06	A RESOLUTION IN SUPPORT OF THE UNITED STATES NATIONAL HEALTH INSURANCE ACT.  Sponsor(s) Health & Human Services
New	Business	
<b>New</b> 32	O-193-9-06	AN ORDINANCE CHANGING THE ZONING FROM R-4 SINGLE FAMILY RESIDENTIAL TO M-2 INDUSTRIAL AND C-M COMMERCIAL MANUFACTURING AND FROM NEIGHBORHOOD FORM DISTRICT TO SUBURBAN WORKPLACE FORM DISTRICT ON PROPERTY LOCATED AT 4601 POPLAR LEVEL ROAD AND 3720 BISHOP LANE, CONTAINING 19.1 ACRES AND BEING IN THE LOUISVILLE METRO (DOCKET NO. 9-35-06).  Sponsor(s) Planning/Zoning, Land Design & Development
		RESIDENTIAL TO M-2 INDUSTRIAL AND C-M COMMERCIAL MANUFACTURING AND FROM NEIGHBORHOOD FORM DISTRICT TO SUBURBAN WORKPLACE FORM DISTRICT ON PROPERTY LOCATED AT 4601 POPLAR LEVEL ROAD AND 3720 BISHOP LANE, CONTAINING 19.1 ACRES AND BEING IN THE LOUISVILLE METRO (DOCKET NO. 9-35-06).

A RESOLUTION AUTHORIZING THE OFFICE OF THE JEFFERSON COUNTY

35

R-168-10-06

ATTORNEY TO BRING A CONDEMNATION SUIT AGAINST THE OWNERS OF CERTAIN PROPERTY IN JEFFERSON COUNTY IN CONNECTION WITH THE COOPER CHAPEL ROAD WIDENING PROJECT (PARCEL 149).

Sponsor(s) 1 Attach. Planning/Zoning, Land Design & Development

36 R-165-10-06 A RESOLUTION PURSUANT TO ORDINANCES 111 AND 112, SERIES 2006, APPROVING THE APPROPRIATION TO FUND THE FOLLOWING RENEWAL CONTRACT – (UNIVERSITY OF LOUISVILLE RESEARCH FOUNDATION, INC. - \$150,000.00).

Sponsor(s) Contracts/Appointments

A RESOLUTION PURSUANT TO ORDINANCES 111 AND 112, SERIES 2006, APPROVING THE APPROPRIATIONS TO FUND THE FOLLOWING NEW CONTRACT – HORIZONS TECHNOLOGY CORPORATION - \$12,000.00.

Sponsor(s) Contracts/Appointments

A RESOLUTION PURSUANT TO ORDINANCES 111 AND 112, SERIES 2006, APPROVING THE APPROPRIATIONS TO FUND THE FOLLOWING NEW CONTRACT – LOUISVILLE ENTERPRISE CENTER, INC. – \$44,000.00.

Sponsor(s) Contracts/Appointments

A RESOLUTION PURSUANT TO ORDINANCES 111 AND 112, SERIES 2006, APPROVING THE APPROPRIATIONS TO FUND THE FOLLOWING NEW CONTRACT – GREATER LOUISVILLE, INC. - \$36,200.00.

Sponsor(s) Contracts/Appointments

40 O-196-10-06
AN ORDINANCE APPROPRIATING \$6,000 FROM THE DISTRICT 23
NEIGHBORHOOD DEVELOPMENT FUND TO THE DEPARTMENT OF PUBLIC
WORKS TO ADD A MISSING SECTION OF SIDEWALK IN FRONT OF 6609
AND 6611 BRISCOE LANE.

Sponsor(s) Appropriations, NDFs and CIFs

41 O-197-10-06
AN ORDINANCE APPROPRIATING \$13,570 FROM THE DISTRICT 23
NEIGHBORHOOD DEVELOPMENT FUND TO ACTORS THEATRE OF
LOUISVILLE, INC. TO CREATE A THEATRICAL WORK WITH MEMBERS OF
THE DISTRICT 23 COMMUNITY PARTICIPATING IN THE ARTISTIC
PROCESS.

Sponsor(s) Appropriations, NDFs and CIFs

42 R-169-10-06 A RESOLUTION PURSUANT TO ORDINANCES 111 AND 112, SERIES 2006, APPROVING THE APPROPRIATIONS TO FUND THE FOLLOWING RENEWABLE CONTRACT – LOUISVILLE ENTERPRISE CENTER, INC. – \$322,707.07.

Sponsor(s) Contracts/Appointments

43	<u>O-198-10-06</u>	AN ORDINANCE APPROPRIATING \$27,900 FROM DISTRICT 25
		NEIGHBORHOOD DEVELOPMENT FUNDS, THROUGH THE DEPARTMENT
		OF FINANCE AND BUDGET, FOR PRAIRIE VILLAGE BASEBALL/SOFTBALL
		FIELD DENOVATIONS AND DAVILION CONSTRUCTION

Sponsor(s) Appropriations, NDFs and CIFs

44 O-201-10-06

AN ORDINANCE CHANGING THE ZONING FROM C-1 COMMERCIAL TO R-5 SINGLE FAMILY RESIDENTIAL AND FROM R-5 SINGLE FAMILY RESIDENTIAL TO R-1, R-2, AND R-4 SINGLE FAMILY RESIDENTIAL IN THE KENWOOD HILL NEIGHBORHOOD LOCATED SOUTH OF HWY I-264 (WATTERSON EXPRESSWAY) AND EAST OF NEW CUT ROAD. THE BOUNDARIES ARE GENERALLY, NEW CUT ROAD TO THE WEST, WEST KENWOOD DRIVE AND SOUTH 3RD STREET TO THE NORTH, SENECA TRAIL AND SOUTHSIDE DRIVE TO THE EAST AND PALATKA ROAD TO THE SOUTH AND BEING IN LOUISVILLE METRO (DOCKET NO. 9-13-06).

Sponsor(s) Planning/Zoning, Land Design & Development

AN ORDINANCE OF THE LEGISLATIVE COUNCIL OF THE LOUISVILLE/JEFFERSON COUNTY METRO GOVERNMENT, AUTHORIZING THE ISSUANCE OF UP TO \$6,000,000 PRINCIPAL AMOUNT OF ITS REFUNDING AND IMPROVEMENT HOUSING REVENUE BONDS, SERIES 2006A (FARMDALE ADULT CITIZENS TOWERS PROJECT) AND UP TO \$1,000,000 PRINCIPAL AMOUNT OF ITS TAXABLE HOUSING REVENUE BONDS, SERIES 2006B (FARMDALE ADULT CITIZENS TOWERS PROJECT), APPROVING AND AUTHORIZING THE EXECUTION AND DELIVERY OF A LOAN AGREEMENT BETWEEN THE METRO GOVERNMENT AND FARMDALE ADULT CITIZENS TOWERS, INC., A TRUST INDENTURE SECURING THE BONDS, AND CERTAIN RELATED DOCUMENTS; AUTHORIZING THE NEGOTIATED SALE OF THE BONDS; AND TAKING OTHER RELATED ACTIONS.

Sponsor(s) Jobs & Economic Development

46 O-199-10-06 AN ORDINANCE RE-ENACTING AND REVISING THE PROVISIONS OF CHAPTER 160 OF THE LOUISVILLE METRO CODE OF ORDINANCES REGARDING THE DOWNTOWN MANAGEMENT DISTRICT.

Sponsor(s) Jobs & Economic Development

47 R-170-10-06 A RESOLUTION PURSUANT TO ORDINANCES 111 AND 112, SERIES 2006, APPROVING THE APPROPRIATIONS TO FUND THE FOLLOWING RENEWABLE CONTRACT - (STAGE ONE: THE LOUISVILLE CHILDREN'S THEATRE, INC. - \$60,000.00).

Sponsor(s) Contracts/Appointments

48 O-202-10-06 AN ORDINANCE APPROPRIATING A TOTAL OF \$5,193 WITH \$577 EACH FROM DISTRICTS 1, 3, 4, 5, 8, 10, 12, 21 AND, 24 NEIGHBORHOOD

DEVELOPMENT FUNDS, THROUGH THE DEPARTMENT OF FINANCE AND BUDGET, TO AFRICAN AMERICAN HERITAGE FOUNDATION, INC. FOR ADMINISTRATION AND PROGRAM EXPENSES.

Sponsor(s) Appropriations, NDFs and CIFs

49 <u>R-171-10-06</u>

A RESOLUTION AUTHORIZING THE MAYOR TO ACCEPT REIMBURSEMENT FUNDS FROM THE COMMONWEALTH OF KENTUCKY, IN THE AMOUNT OF APPROXIMATELY \$511,180.00, FOR THE KENTUCKIANA AIR EDUCATION PROJECT ("KAIRE").

Sponsor(s) Health & Human Services

50 <u>O-203-10-06</u>

AN ORDINANCE AMENDING ORDINANCE NO. 94, SERIES 2004 RELATING TO THE FISCAL YEAR 2004-2005 CAPITAL BUDGET AND ORDINANCE NO. 112, SERIES 2006, RELATING TO THE FISCAL YEAR 2006-2007 CAPITAL BUDGET FOR THE LOUISVILLE/JEFFERSON COUNTY METRO GOVERNMENT, BY TRANSFERRING \$25,000 FROM METRO PARKS THROUGH THE DEPARTMENT OF FINANCE TO THE JEFFERSON COUNTY PUBLIC EDUCATION FOUNDATION, INC FOR THE PURPOSE OF PLAYGROUND EQUIPMENT AT PORTLAND ELEMENTARY.

Sponsor(s) Budget

51 <u>R-172-10-06</u>

A RESOLUTION URGING BOTH SUPPORT AND HONOR TO THOSE COURAGEOUS WOMEN WHO ARE AT THIS TIME FIGHTING THE BATTLE AGAINST BREAST CANCER, AND RECOGNIZING WITH HONOR AND COMPASSION THOSE WHO HAVE LOST FRIENDS AND LOVED ONES TO THIS DEADLY DISEASE.

Sponsor(s) Health & Human Services

52 <u>O-204-10-06</u>

AN ORDINANCE AMENDING CERTAIN SECTIONS OF 157.02, 157.03, AND 157.04 OF THE LOUISVILLE/JEFFERSON COUNTY METRO GOVERNMENT CODE OF ORDINANCES ("CODE") PERTAINING TO FLOODPLAIN MANAGEMENT.

Sponsor(s) Transportation/Public Works

#### Addendum